

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figs. 4 and 5. This sheet, which includes Figs. 3-5, replaces the original sheet including Figs. 3-5. In Figures 4 and 5 reference numeral 46 has been deleted.

Attachment: Replacement Sheet
 Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

Reconsideration of this application in light of the above amendments and following comments is courteously solicited.

Applicant submits herewith Replacement sheets of drawings wherein the reference numeral 46 has been deleted from Figures 4 and 5. It is respectfully submitted that the new sheet of drawings comply with all formal requirements.

Independent claim 1 has been extensively amended. It is submitted that amended independent claim 1 patentably defines over the Xu reference under either 35 U.S.C. 102 or 35 U.S.C. 103 for the reasons set forth hereinbelow.

Amended claim 1 requires that the relatively narrow portion of the shaft is formed by placing the anchor member over the shaft, placing the anchor member mounted on the shaft in a swage press so as to deform the anchor member to form at least a portion of the longitudinal bore of reduced transverse diameter and a corresponding portion of the shaft of similarly reduced diameter.

By the present invention it is possible to obtain the subject rock bolt by placing the anchor member over the shaft at an appropriate location, placing the combination in a swage press, subjecting the anchor member and the shaft to a swaging process so as to form the desired portion of reduced diameter in the longitudinal bore of the anchor member and the portion of the shaft with correspondingly reduced diameter.

The device of Xu et al. does not anticipate or render obvious claim 1. In fact, in reality, the device of Xu is totally remote from the claimed present invention. Although the Examiner takes the position that the longitudinal aperture 24 is an anchor member having a longitudinal bore it must be noted that this item actually runs down the centre of the device. Further, the relatively wide portion 30, referred to by the

Examiner, is located externally of this longitudinal aperture 24.

The examiner has rejected previous claim 14 over Xu and Maltby.

In his discussion of claim 14 the Examiner acknowledges that Xu et al. fails to disclose that the anchor member is deformed to form at least a portion of longitudinal bore of reduced dimension and a corresponding portion of the shaft of similarity reduced dimension.

Maltby does not make up this deficiency. Firstly, Maltby relates to a rock bolt having a multi-strand shaft. The device of Maltby is formed by inserting a center wire having a multi-strand shaft. The device of Maltby is formed by inserting a center wire having a widened portion 18 into the shaft 12 to form a widened portion 26.

In use, in Maltby the elongate member 18 slides through the pipe 16 by deforming as it passes through the undulated or rather controlled yielding action with the pipe remaining behind and fully embedded in the central wall material.

In the Maltby invention the anchor member 14 contains a preformed longitudinal bore and the shaft 12 is received in the longitudinal bore without any further action taking place. The diameter of the longitudinal bore is pre-set to be slightly less than that of the widened portion 26. Thus, in Maltby there is no deformation of the anchor member 14 after it is placed about the shaft 12. The narrow portion of the shaft 12 is preformed before the anchor member is placed about the shaft 12.

There is a fundamental difference from the present invention and the Examiner is incorrect where he states that Maltby teaches that the anchor member is deformed to form at least a portion of longitudinal bore reduced in dimension and a corresponding portion of the shaft of similarly reduced

dimension due to force exerted by the anchor member on the shaft and bore. This is simply incorrect. Clearly, as shown in Figure 2 the anchor member 14 of Maltby is of uniform external diameter and only has a slightly widened preformed portion at an inner end of the bore to fit with the pre-formed widened portion of the shaft 12.

In the present invention, the deformation of the shaft and the reduction of the longitudinal bore dimension is only brought about by placement of the device of the present invention in a swage press after the anchor member is placed over the shaft 12. This is not disclosed or suggested by Maltby.

In light of the foregoing, it is submitted that all of the claims as pending patentably define over the art of record and an early indication of same is respectfully requested.

An earnest and thorough attempt has been made by the undersigned to resolve the outstanding issues in this case and place same in condition for allowance. If the Examiner has any questions or feels that a telephone or personal interview would be helpful in resolving any outstanding issues which remain in this application after consideration of this amendment, the Examiner is courteously invited to telephone the undersigned and the same would be gratefully appreciated.

It is submitted that the claims as amended herein patentably define over the art relied on by the Examiner and early allowance of same is courteously solicited.

If any fees are required in connection with this case, it is respectfully requested that they be charged to Deposit Account No. 02-0184.

Respectfully submitted,

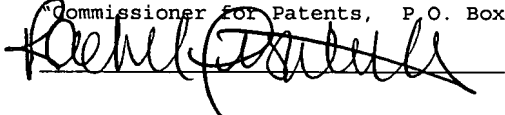
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Date: October 8, 2007

I, Rachel Piscitelli, hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:
"Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on October 8, 2007.



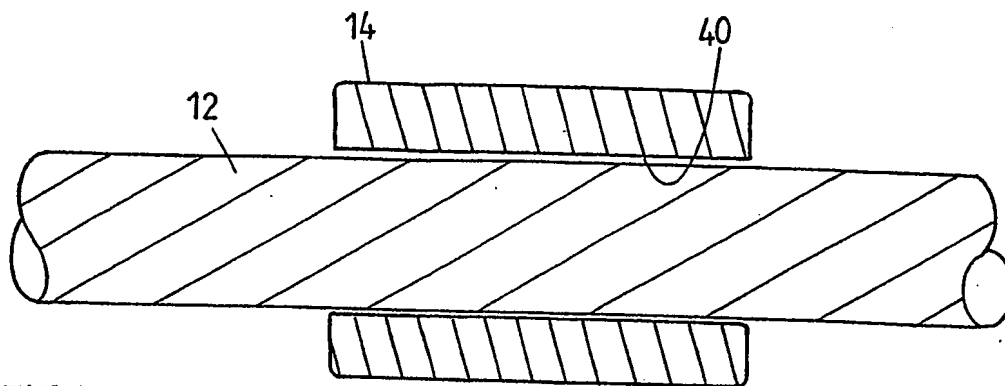


FIG. 3

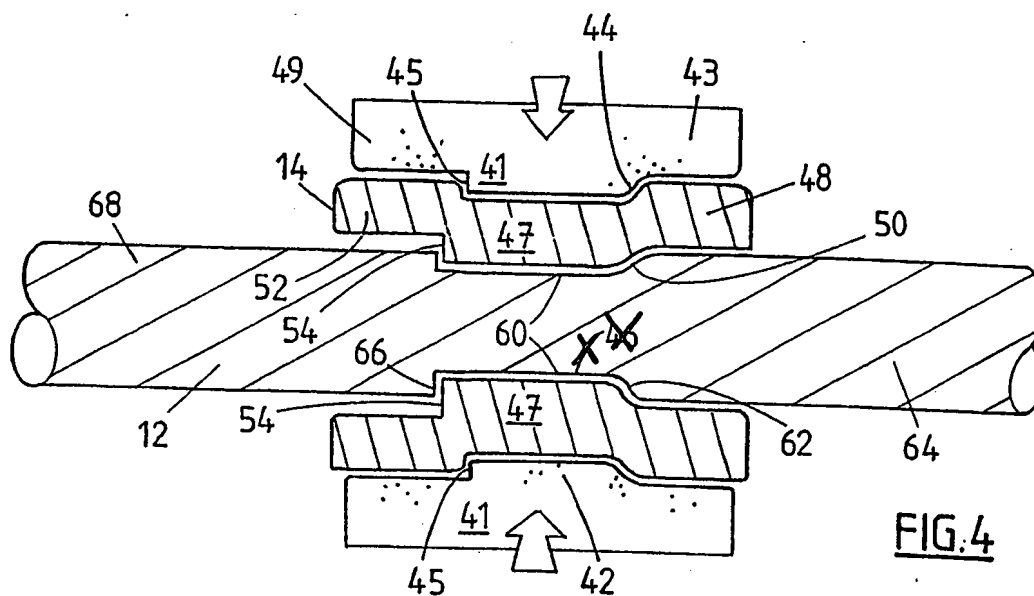


FIG. 4

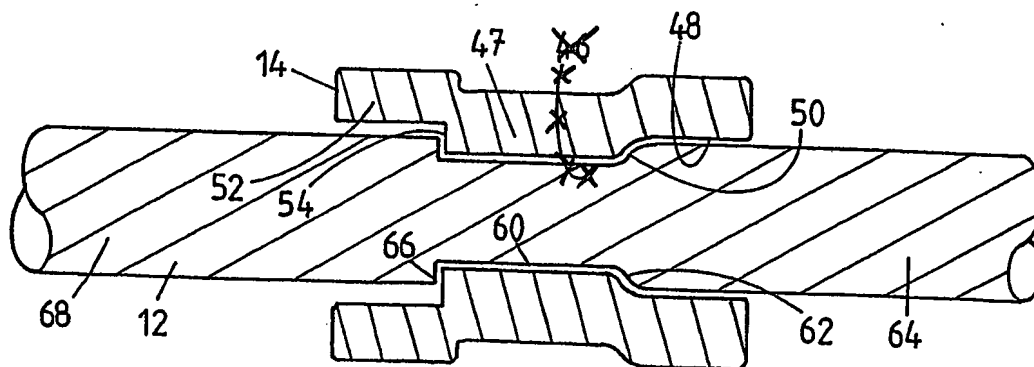


FIG. 5

